

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

AARON ESPENSCHIED,
GARY IDLER, and
MICHAEL CLAY,
on behalf of themselves and a class
of employees and/or former employees
similarly situated,

Plaintiffs,

v.

Case No. 09-cv-625

DIRECTSAT USA, LLC,
and
UNITEK USA, LLC,

Defendants.

PLAINTIFFS' TRIAL EXHIBIT LIST

NOW COME Plaintiffs Aaron Espenscheid, Gary Idler and Michael Clay, on behalf of themselves and a class of similarly situated employees, by their attorneys Gingras Cates & Luebke and Axley Brynerson, LLP, and hereby identifies the following exhibits to be presented at trial:

TRIAL EXHIBIT FORM

EXHIBIT(S) OF:	ESPENSCHIED, et al.
PLAINTIFFS	v. Case No.: 3:09-cv-00625-bbc
	DIRECTSAT USA, LLC, et al.

Date	Identification		Description	Offers, Objections, Rulings, Exceptions
	No.	Witness		
	1.		Dellinger email, 9-11-08, re. Overtime Reporting DSAT-UTEK 364382	
	2.		UniTek USA Employee Handbook Jan. 2007 - Feb. 2009 (Depo. exh. 2) DSAT/UTEK 000089-132	
	3.		UniTek USA Employee Policy Booklet July, 2007 - June, 2008 (Depo. exh. 3) DSAT/UTEK 000035-88.	
	4.		UniTek USA / DirectSat USA Employee Handbook (Depo. exh. 4)	
	5.		UniTek USA DirectSat USA Employee Policy Booklet June, 2008 through 2-26-10 (Depo. exh. 5)	
	6.		DirectSat USA Employee Handbook (Depo. exh. 6) DSAT/UTEK 001892 – 1935	
	7.		DirectSat USA Employee Handbook July, 2009 - unspecified time (Depo. exh. 7): DSAT/UTEK 001750 - 1797	
	8.		DirectSat USA Fleet Policy Handbook March, 2009 (Depo. exh. 8; also Depo. exh. 1, Woodford)	
	9.		DirectSat Management Guidebook (Depo. exh. 9) DSAT/UTEK 001736	
	10.		Job Description - Technician (Depo. exh. 10) DSAT/UTEK 135-37	
	11.		10-1-09 Yannantuono memo re New Timesheet Guidelines (Depo. exh. 11)	
	12.		DirectSat Weekly Timesheet (blank) (Depo. exh. 12) (also Depo. exh. 5, Woodford).	
	13.		Phone Calling Policy: “Collectively	

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	No.	Witness		
			we are not doing a good job..." Depo. exh. 13	
	14.		7-9-08 memo from Shockman re Timesheet Policy, (Depo. exh. 14) DSAT/UTEK 1996	
	15.		2-2-09 Timesheet Policy (Depo. exh. 15) DSAT/UTEK 1984	
	16.		Standard Installation sheet MN and WI rates 11-9-08 - Espenscheid (signed 5-26-09) (Depo. exh. 16) (also Depo. exh. 3, Woodford)	
	17.		Espenscheid time sheet 6-20-09 (Depo. exh. 17)	
	18.		9-18-09 Paycheck verification procedures (Depo. exh.18) DSAT/UTEK 1989	
	19.		Payroll explanation and compliance form (Depo. exh. 19) DSAT/UTEK 2011-2013	
	20.		DirectSat Technician Payroll Policy & Procedures - effective 12-4-06 DSAT/UTEK 9656	
	21.		COV Policy DSAT/UTEK 105029- 31	
	22.		Unitek new hire checklist (Depo. exh. 22) DSAT/UTEK 14	
	23.		New employee payroll date form (Depo. exh. 23) DSAT/UTEK 13	
	24.		Employee Agreement - Pre-Tax Payroll Deductions (Depo. exh. 24)	
	25.		How to Use TriCor's Internet Requesting System DSAT-UTEK 00172 (Depo. exh. 25)	
	26.		Corrective Action Process (Depo. exh. 26) DSAT/UTEK 001730-36	
	27.		DSAT/UTEK 368386 Pre-call checklist	

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	No.	Witness		
	28.		DirectSat Employee Candidate Employment Release Statement (blank) (Depo. exh. 28) DSAT-UTEK 00173	
	29.		Power Point slides "New Timesheets-effective 10/4/09", IDLER 50375-84	
	30.		PTO Request Form (blank) (Depo. exh.30)	
	31.		DirectSat form SSA-89 (blank) (Depo. exh.31) DSAT-UTEK 00174	
	32.		DSAT-UTEK 001990 Piece Rate Calculation Memo 2.20.09	
	33.		Lawley Memo 10.12.09 DSAT/UTEK 105059	
	34.		Cell Phone Policy (Espenscheid), DSAT-UTEK 000022	
	35.		UniTek USA Employee Policy Booklet with excerpt on GPS policy prepared by Fabrizio 6-7-07 DSAT/UTEK 35, 54	
	36.		UniTek USA Employee Policy Booklet with excerpt - Company Owned Vehicle policy DSAT/UTEK 35, 52-53	
	37.		DirectSat USA Technician Expectations (Depo. exh. 1, Dellinger) DSAT/UTEK 112444-46	
	38.		HSP Site Training Cover Sheet - Rola (training manager) (Depo. exh. 2, Dellinger)	
	39.		HSP Site Training Cover Sheet (blank) (Depo. exh. 3, Dellinger)	
	40.		FMLA policy (Depo. exh. 40) DSAT-UTEK 001887	
	41.		Company paid holiday policy (Depo. exh. 41)	

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	No.	Witness		
	42.		Interview Questions (Depo. exh. 42) DSAT/UTEK 001944-1951	
	43.		Snell email chain 9-24-09 re. GPS exception reporting DSAT/UTEK 364374-76	
	44.		Giacalone email chain 10-29-07 DSAT/UTEK 364377-81	
	45.		DirectSat Experienced Technician Referral Program (Depo. exh. 45) DSAT/UTEK 001978-9	
	46.		12-24-09 memo re Paycheck Verification Procedure (Depo. exh. 46)	
	47.		New Hire Process Policy (Depo. exh. 47) DSAT/UTEK 002004-5	
	48.		New Hire Facilitator's Guide, Ch. 25 Work Orders, DSAT-UTEK 000594-6, 001182-001262	
	49.		Wannarka email chain 9-15-08 re. Time sheets and lunch IDLER 3876-77	
	50.		Request for Resources (Depo. exh. 50) DSAT/UTEK 003131	
	51.		DSAT-UTEK 165980 Shockman Notebook entry re. OT training	
	52.		DSAT-UTEK 165969 Shockman Notebook entry re. OT and lunch	
	53.		DSAT-UTEK 165771 Shockman Notebook entry re. OT calculation	
	54.		DSAT-UTEK 166024 Shockman Notebook entry re. start of workday	
	55.		Truck Kit / Tool Issuance Form (Depo. exh. 55) DSAT/UTEK 10514	
	56.		DirectSat Tool Form signed 7-17-07 (Depo. exh. 56) DSAT/UTEK 12846	
	57.		10-16-08 memo from Shockman re. How Piece Rate is Calculated	

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	No.	Witness		
			DSAT/UTEK 171 and ESPENSCHIED 02459	
	58.		10-3-07 memo from Shockman re. Timesheet Policy DSAT/UTEK 160	
	59.		GPS activity report 10-7-07 - 10-9-07 (Depo. exh. 2, Yannantuono; also Depo. exh. 59) DSAT/UTEK 11320-11332.	
	60.		DSAT-UTEK 00488- DirectSat Org. Chart 1.21.2010	
	61.		DSAT-UTEK 0019 DirectSat HR Org. Chart	
	62.		Unitek organization charts. (Depo. exh. 1, Yannantuono)	
	63.		DirectSat Technician Policy Payroll and Procedures, signed by Bolden 1-9-07 (Depo. exh. 63) DSAT/UTEK 9991-2	
	64.		Time Card Policy & Procedure (Depo. exh. 64) (Depo. exh. 2, Bah) DSAT/UTEK 4886-7	
	65.		Fleet Maintenance Policy and Procedures (Depo. exh. 65) DSAT/UTEK 6821	
	66.		COV instructions (Depo. exh. 66) DSAT/UTEK 10376-7	
	67.		DSAT-UTEK 020945 Training Pay Structure and rates	
	68.		Emails to and from Brian Carrier in 2009, CARRIER 1-14	
	69.		Carrier Workorders, CARRIER 15-90	
	70.		Carrier personnel file DSAT/UTEK 145636-663	
	71.		Carrier timesheets 1.3.09-3.21.09, Non-sequential Bates	
	72.		Carrier meeting sign-in sheets (Big	

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			Lake, MN) DSAT/UTEK 016965-999 (there are gaps in the numbering, but the exhibit is one packet of sign-in sheets)	
	73.		PA Calls 2008-2009, Bates DSAT-UTEK 165496-165581	
	74.		Technician Meeting Sign-In Sheets (Claremont, MN), DSAT-UTEK 016780-016880	
	75.		Email Shockman 11.15.07 regarding an exit interview, DSAT-UTEK 043099-100	
	76.		Woodford Email 9.17.09 regarding paycheck verification procedure, DSAT-UTEK 00166, 00163	
	77.		Trimble Manual and Reports, TRIMBLE/@ROAD DIRECTSAT CONFIDENTIAL 002070-002281	
	78.		Email Norm Snell 8.12.09, DSAT-UTEK 366705-07	
	79.		Email John Kowalski 5.9.07, DSAT-UTEK 366821-22	
	80.		Email Greg Militello 8.11.09, DSAT-UTEK 366855-56	
	81.		Email Phil Wannarka 9.1.09, IDLER 50431-32	
	82.		Email Phil Wannarka 9.29.10, IDLER 50363-64	
	83.		Email Phil Wannarka 8.10.09, IDLER 50420-27 (Depo. Exh. 62)	
	84.		@Road Report 4.28.09 regarding onsite by 8:00 am, IDLER 50669-50836	
	85.		Email William Jones 5.8.09, IDLER 50370-71	
	86.		Email Scott Barnes 8.10.09, IDLER 50395	

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	No.	Witness		
	87.		Email Dennis Ross 8.10.09, IDLER 50397	
	88.		Email Dennis Ross 10.19.09, IDLER 50372-84 (Idler Depo Exh. 9)	
	89.		Email Elizabeth Downey 9.11.08, DSAT/UTEK 105063	
	90.		Timesheet exemplar DSAT/UTEK 001742	
	91.		Hisey Letter to Wannarka DSAT/UTEK 105019-105020	
	92.		Email to Wannarka, IDLER 50433	
	93.		Idler GPS example with exemplar timesheet, Wannarka Depo Exh 12-13	
	94.		Email Wannarka 4.28.09 IDLER 50559-60 with @Road Report IDLER 50561-569 (Depo. Exh. 61)	
	95.		Email Wannarka 8.6.09 IDLER 50394	
	96.		Safety Meeting Report DSAT/UTEK 016788-89	
	97.		Email Wannarka 9.15.08 IDLER 3876-77	
	98.		Point Matrix DSAT/UTEK 00533-39	
	99.		Point Matrix DSAT/UTEK 00516-18	
	100.		Performance Measurement Policy DSAT/UTEK 22070	
	101.		Email Wannarka 8.13.09 IDLER 50428-30	
	102.		Email Miller and Lawley 11.2.09 DSAT/UTEK 077381-83	
	103.		Email Wannarka 8.2.09 IDLER 50555-57	
	104.		Email Idler 10.19.09 regarding new timesheets, IDLER 50372-84	

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	No.	Witness		
	105.		Packet of 207 DirectSat emails to Idler from August, 2009, as identified in Haag Aff., Dkt. #375, ¶ 6-8	
	106.		Packet of 162 DirectSat emails to Idler from September, 2009, as identified in Haag Aff., Dkt. #375, ¶ 6-8	
	107.		Idler Depo. Exh. 5 (Personnel File)	
	108.		GPS Installation IDLER 49898	
	109.		Idler Depo. Exh. 10 (Jeremy Johnson email)	
	110.		Idler Depo. Exh. 12 (GPS data)	
	111.		Idler Depo. Exh. 13 (timesheet and GPS data)	
	112.		Idler Timesheets, week ending 2.7.09 – 2.6.10, Bates non-sequential	
	113.		Idler GPS data provided by DirectSat 8.1.09-10.31.09, no Bates	
	114.		PROS Report re Dan Allers DSAT/UTEK 109834 and 109405	
	115.		Allers timesheets 3.14.09-3.13.10, Non-sequential Bates	
	116.		Allers GPS data provided by DirectSat 8.1.09-11.1.09, no Bates	
	117.		Allers personnel file DSAT/UTEK 356470-526	
	118.		Scott Barnes timesheets 1.4.09-10.19.09, Non-sequential Bates	
	119.		Barnes personnel file DSAT/UTEK 167101-133	
	120.		Tom Berryman timesheets 3.14.09, 3.28.09, 8.15.09	
	121.		Berryman GPS data provided by DirectSat 5.19.09-8.14.09	
	122.		Berryman personnel file DSAT/UTEK 144484-521	

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	No.	Witness		
	123.		Marc Braniff timesheets 2.21.09-8.15.09, Non-sequential Bates	
	124.		Braniff GPS data provided by DirectSat 6.28.09-9.24.09	
	125.		Braniff personnel file DSAT/UTEK 145119-237	
	126.		Steve Kopischke personnel file DSAT/UTEK 148237-266	
	127.		Kopischke time sheets 6.26.09-9.5.09, Non-sequential Bates	
	128.		Kopischke GPS data provided by DirectSat 7.20.09-8.31.09, no Bates	
	129.		Corrective Action Form – Discipline for missed weekly meetings. DSAT/UTEK: 005185; 005296; 005499; 005500; 005589; 011985; 012167; 013822; 015056; 018103; 018382; 018386; 018739; 018740; 018741; 019991; 038536; 041034; 044990; 044993; 046346; 047190; 048575; 053987; 062889; 063741; 064285; 074605-606; 076888; 079790; 104255; 105514; 105524; 154312; 105520; 154318; 115522; 117607; 121949; 123722; 164985; 123723; 164986; 130985; 132721; 134176; 143061; 145280; 153038; 155429; 155459; 159520; 163227-229; 163671; 163937; 164017; 164019; 164799; 170453; 352315; 171548; 353410; 173274; 355080; 299490; 301979; 352531; 354132; 357275; 357605; 361754; 362449; 362972; 362976.	
	130.		Corrective Action Form – Discipline for missing other mandatory meetings and events. DSAT/UTEK: 136741; 171593;	

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	No.	Witness		
			173329; 351972; 352564; 115951.	
	131.		Corrective Action Form – Discipline for performance on scorecard. DSAT/UTEK: 009417; 011314; 027254; 037949; 049484; 049869; 059601; 062419; 062815; 063002; 103131; 119625; 152390; 115678; 117431; 152360; 130039; 135804; 142406; 155891; 156813; 157518; 158183; 158852; 159278; 160570; 162419; 170588; 172688; 174744; 178387; 301977; 356113.	
	132.		Correction Action Form – Discipline related GPS-detected violations. DSAT/UTEK: 005360; 005593; 063622-623; 008502; 010490; 014812-813; 015122; 015148-149; 019034; 024486; 025465-467; 039719; 044242; 045931; 365333; 047565; 364866; 047567; 364868; 053986; 054435; 060700-701; 063622; 078832; 098570; 133593; 098572-573; 133595-596; 098728; 098724; 114216-217; 098733; 114221; 104144-145; 120331-332; 104146; 120333; 105512-513; 154310; 105518-519; 154316-317; 115681; 115841; 116185-186; 118542; 122344; 127285; 127577; 136208; 136740; 140875; 141168; 143063-064; 144875; 146412-414; 147462; 149708-709; 150825-827; 154068; 158686-687; 160247; 160250; 166497-498; 173750; 175568-571; 246313; 246316; 294439; 352526; 352688; 354135; 356785; 362433;	

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	No.	Witness		
	133.		Correction Action Form – Discipline for failing to make customer contact. DSAT/UTEK: 041078; 036977	
	134.		Termination Report – Termination for low scorecard rating. DSAT/UTEK: 009922; 053895; 060529; 074325; 102169; 114824; 115900; 129498; 130015; 130039; 138437; 141764; 147514; 149521; 155370; 155448; 159256; 160543; 167034; 169548; 173055; 174521; 174706; 178342; 178971; 301542; 351874; 354861; 356084	
	135.		Termination Report – Termination for performance generally. DSAT/UTEK: 039686; 055537; 056118; 058270; 074415-416; 098453; 104507; 114980; 115507; 118321; 125029; 146166; 172384; 354190; 173259; 173954; 350722; 364750	
	136.		Termination Report – Termination for violation of a policy that was discovered through managers and/or supervisor’s use of GPS. DSAT/UTEK: 054414; 064160; 078751; 173503; 173511-514	
	137.		Termination Report – Terminated in part for being tardy for or missing mandatory meetings. DSAT/UTEK: 060920; 074576	
	138.		Personnel Action Notice – Relating to per diem payments paid to technicians. DSAT/UTEK: 006690; 103110; 119604; 152369; 138042; 143645; 152338; 165000; 357233	

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	No.	Witness		
	139.		Personnel Action Notice – Bonuses to technicians for moving from position of installation technician to lead installation technician. DSAT/UTEK: 300907; 302416	
	140.		Personnel Action Notice – Reflecting pay for training other technicians. DSAT/UTEK: 163476; 182119; 354114; 357226	
	141.		Personnel Action Notice – Pay to technician for covering supervisor position during supervisor's vacation. DSAT/UTEK: 363695	
	142.		Personnel Action Notice – Bonuses for being selected as Tech of the Quarter. DSAT/UTEK: 170130; 351988; 357229	
	143.		Personnel Action Notice – QC Bonuses. DSAT/UTEK: 103115; 119609; 152332; 152334; 179042	
	144.		Personnel Action Notice – Jump Bonus for working a 6-day week. DSAT/UTEK: 353955-959	
	145.		Personnel Action Notice - Bonuses for Safety Bingo. DSAT/UTEK: 173979; 355678	
	146.		E-mail from Sara Rafferty to Yvette Shockman dated March 5, 2007, providing for additional pay for training at a daily rate. DSAT/UTEK: 296917	

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	147.		Authorization to Deduct from UNITEK USA Employee – Deductions for lost items. DSAT/UTEK: 009930; 027277; 057848; 058337; 059532; 020385	
	148.		Authorization to Deduct from UNITEK USA Employee – Deductions for stolen items. DSAT/UTEK: 006286; 037933; 102680; 102701; 119337; 119358; 155397; 157662; 160219; 163883; 007746	
	149.		Authorization to Deduct from UNITEK USA Employee – Deductions for “lost/stolen” items. DSAT/UTEK: 009932; 074334; 018434	
	150.		Shockman 4.13.07 email string re deduction for frozen equipment in truck DSAT-UTEK 042670-673	
	151.		Earnings Statement – Including trainer pay. DSAT/UTEK: 073761	
	152.		Earnings Statement – Including pay for protection plan. DSAT/UTEK: 073698; 073723; 073732; 073781; 073789; 073799; 073845; 073850; 073901; 073911	
	153.		Earnings Statement – Including pay for DTV – Sales DSAT/UTEK: 073700; 073737	
	154.		Earnings Statement – Including additional pay for field training. DSAT/UTEK: 073710	
	155.		Earnings Statement – Including Bonus Pay. DSAT/UTEK: 073733	
	156.		Earnings Statement – Including pay for DTV Retention DSAT/UTEK: 073739	

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	157.		Exit Interview – Tony Moore DSAT/UTEK: 055382-383	
	158.		Exit Interview – Gregory Hooks DSAT/UTEK: 300718-719	
	159.		Shockman email 11.15.07 re exit interview DSAT-UTEK 043099	
	160.		Corrective Action Form – States when techs’ day begins DSAT/UTEK: 159120	
	161.		Personnel File Documents Relating to ERD Case LS200903643. DSAT/UTEK: 179005-179015; 107659-660	
	162.		Corrective Action Form – Discipline for improper work order disposal. DSAT/UTEK: 008577	
	163.		Corrective Action Form – Discipline for improper inventory rotation. DSAT/UTEK: 018117	
	164.		Corrective Action Form – Discipline for break. DSAT/UTEK: 077981	
	165.		Corrective Action Form – Discipline for improperly turning in Work Orders. DSAT/UTEK: 078995	
	166.		Corrective Action Form – Discipline for claiming overtime without appropriate approval. DSAT/UTEK: 170591	
	167.		Packet of 135 DirectSat emails to Espenscheid from August, 2009, as identified in Haag Aff., Dkt. #375, ¶ 6-8	
	168.		Packet of 122 DirectSat emails to Espenscheid from September, 2009, as identified in Haag Aff., Dkt. #375, ¶ 6-8	
	169.		Espenscheid Timesheets dated	

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	No.	Witness		
			6/28/08-12/19/09	
	170.		Espenscheid GPS data provided by DirectSat dated 8/2/09-11/1/09	
	171.		Espenscheid Personnel File DSAT-UTEK 000001-000032	
	172.		Ludlum Timesheets dated 6/28/08-8/29/09	
	173.		Ludlum Personnel File DSAT-UTEK 148781-148832	
	174.		Ludlum review DSAT-UTEK 111859-60	
	175.		Wetzel Timesheets dated 8/25/07-2/16/08	
	176.		Wetzel Personnel File DSAT-UTEK 155957-155991	
	177.		James George Timesheets dated 8/9/08-2/7/09	
	178.		George Personnel File DSAT-UTEK 168068-168123	
	179.		Stephen Forrest Timesheets dated 9/20/08-2/28/09	
	180.		Forrest Personnel File DSAT-UTEK 171506-171548	
	181.		R.J. Hutchison Timesheets dated 2/28/09-2/6/10	
	182.		R.J. Hutchison GPS data provided by DirectSat dated 12/13/09-3/13/10	
	183.		R.J. Hutchison Personnel File DSAT-UTEK 358225-358268	
	184.		David Lewin CV	
	185.		David Lewin Report dated 10.12.10	
	186.		List of 53 Representative Technicians	
	187.		William Daily Declaration 10.22.10	
	188.		Chart showing time spent working at home for 53 Representative Technicians	

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	No.	Witness		
	189.		GPS vs. Payroll Data Hours for 53 Representative Technicians	
	190.		GPS vs. Payroll Data Hours for 2 Class Representatives	
	191.		GPS vs. Payroll Data Hours for 25 Randomly Selected Technicians	
	192.		GPS vs. Payroll Data Hours for 7 Hand Picked Technicians	
	193.		Spreadsheet of total compensation for 53 Representative Technicians	
	194.		Spreadsheet of all class members showing tenure	
	195.		DSAT-UTEK 109264 Yannantuono email re Payroll change	
	196.		Michael Clay's Standard Installation sheet, 6-4-07 DSAT/UTEK 98253	
	197.		Michael Clay Timesheets week ending 9.1.07-2.2.08, Bates Non-sequential	
	198.		Clay personnel file, DSAT-UTEK 099509-550; 114823-864; 146041-082	
	199.		Herbert Blunt GPS data provided by DirectSat dated 8.1.09-11.1.09	
	200.		Herbert Blunt timesheets week ending 1.19.08-12.26.09, Bates Non-sequential	
	201.		Blunt personnel file DSAT-UTEK 134007-066; 144815-875	
	202.		Frantz Charles timesheets week ending 8.15.09-12.26.09, Bates Non-sequential	
	203.		Charles personnel file DSAT-UTEK 012118-176	
	204.		Charles GPS data provided by DirectSat dated 8.1.09-10.20.09, no Bates	

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	No.	Witness		
	205.		Christopher Nye timesheets week ending 2.14.09-3.26.11, Bates Non-sequential	
	206.		Nye personnel file DSAT-UTEK 157772-832	
	207.		Christopher Nye GPS data provided by DirectSat dated 8.2.09-10.31.09	
	208.		James Atkinson personnel file DSAT-UTEK 142565-142586	
	209.		Atkinson timesheets week ending 6.28.08-4.4.09, Bates Non-sequential	
	210.		David Deserre personnel file DSAT-UTEK 146368-146508	
	211.		Deserre timesheets week ending 11.15.08-4.11.09, Bates Non-sequential	
	212.		Brett Domke personnel file DSAT-UTEK 013601-013623	
	213.		Domke timesheets week ending 1.3.09-11.28.09, Bates Non-sequential	
	214.		Domke GPS data provided by DirectSat dated 8.2.09-10.31.09, no Bates	
	215.		Bradley Pauwels personnel file DSAT-UTEK 138668-138708; 151484-151524	
	216.		Pauwels timesheets week ending 2.21.09-1.23.10, Bates Non-sequential	
	217.		Randall Whitrock personnel file DSAT-UTEK 105565-105602; 120757-120794; 154323-154360	
	218.		Whitrock timesheet 11.7.09 DSAT-UTEK 328312	
	219.		Whitrock GPS data provided by	

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	No.	Witness		
			DirectSat dated 8.2.09-10.31.09, no Bates	
	220.		Yannantuono email chain 5-20-09 re: Mike Thompson DSAT/UTEK 364372-73	
	221.		Riddle email chain 1-25-08 re: Chicago labor DSAT/UTEK 364387	
	222.		Riddle email chain (8-10-07) re. Margin Critical Situation DSAT/UTEK 364388-90	
	223.		Heaberlin email chain (2-2-2010) re. Techs scheduled hours vs. closed work DSAT/UTEK 364391-394	
	224.		Quarter-end rate sheet DSAT/UTEK 036586 (Woodford Depo Exh 2)	
	225.		Winterbottom Depo Exh 13- Memorandum to technicians re: calls to customers. (not bates-stamped).	
	226.		Winterbottom Depo Exh 14- Memorandum dated July 9, 2008 from Yvette Shockman to All Technicians and Hourly Personnel re: Timesheet Policy. (Bates- No. DSAT/UTEK 001996)	
	227.		Winterbottom Depo Exh 15- Memorandum dated February 2, 2009 to all technicians re: timesheet policy. (Bates No. DSAT/UTEK 001984)	
	228.		Winterbottom Depo Exh 58- Declaration of Jeffrey Winterbottom. (not bates-stamped).	
	229.		Winterbottom Depo Exh 59- Activity Detail Activity Report from 10/7/07 to 10/9/07. (Bates Nos. DSAT/UTEK 011320-011332).	
	230.		Winterbottom Depo Exh 60-	

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			Exception Report. (Bates Nos. DSAT/UTEK 061487-061489)	
	231.		Weekly PROS reports from Minnesota profit centers: PROS Report 20100816-1425, created 8/16/2010 by Latesha Winston, Bates no. DSAT-UTEK109405 PROS Report 20100712-1533, created 7/12/2010 by Latesha Winston, Bates no. DSAT-UTEK109895 PROS Report 20100426-1644, for W/E 04.24.10 - 698-3, created 4/26/2010, Bates no. DSAT-UTEK109723 PROS Report 20100223-1454, for W/E 02.20.10 - 698-3, created 2/23/2010, Bates no. DSAT-UTEK109603 PROS Report 2009-05-17_2009, for W/E 05.23.09 - 698-2, created 5/26/2009, Bates no. DSAT-UTEK109797 PROS Report 2009-02-08_2009, for W/E 02.14.09 - 698-2, created 2/16/2009, Bates no. DSAT-UTEK109323	
	232.		Bryan Bruheim timesheets week ending 12.27.08 – 3.13.10, non-sequential Bates	
	233.		Dennis Warner personnel file DSAT-UTEK 105098-105142	
	234.		Warner timesheets weekending 1.3.09-10.3.09	
	235.		GPS acknowledgement (bearing Larry Clark's signature) prepared by Fabrizio, 6-7-07 DSAT/UTEK 11664 (Depo. exh. 3, Yannantuono)	
	236.		Scorecard for Mark Schmidt (Depo. exh. 2, Woodford) DSAT/UTEK 36586	

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	No.	Witness		
	237.		Peterson 3-19-09 email chain re Noyes - speeding - GPS data (Depo. exh. 60) DSAT/UTEK 61487-61489	
	238.		Lawley email chain including GPS data relative to Shannon Thuecks, 11-3-09 DSAT/UTEK 77374-88.	
	239.		11-2-09 Miller email chain re. Shannon Thuecks (GPS information) DSAT/UTEK 77381-83	
	240.		Creed Patrick email chain (Depo. exh. 1, Patrick) DSAT/UTEK 100781-82	
	241.		Hisey email chain (8-11-07) re. Marting Update DSAT/UTEK 364383-86	
	242.		Riddle email chain 10-12-07 re. SkyREPORT DSAT/UTEK 364395-402	
	243.		4-21-09 email chain Johnson / Wannarka / Braniff re SIN7 SIN30 (Depo. exh. 10, Idler) Idler 49709-10	
	244.		Leider email chain 1-17-10 re. Time cards and travel Idler 50482-84	
	245.		UniTek USA DirectSat USA Time Card Policy & Procedures 6-22-06 revision (Depo. exh. P-14) D-18030-31 marked at Downey depo, 2-2-10	
	246.		Up-Training Request, (Depo. exh. 4)	
	247.		PA call 11-21-08 No Bates, but 10 pages. (Dkt no. 379-12)	
	248.		PA Call 8-7-09 No Bates, but 4 pages (Dkt no. 379-8, pp. 33-36)	
	249.		Payroll uploads from 2007 DSAT/UTEK 364356-71	
	250.		DSAT-UTEK365791 1-16-10 Email to dispatchers and supervisors and some upper mgmt from Gail	

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	No.	Witness		
			Stephens re. GPS	
	251.		DSAT-UTEK365793 12-14-09 Email to dispatch and some upper mgmt from Tandy Talbot. re. GPS	
	252.		DSAT-UTEK365794 1-28-10 Email to dispatch and upper mgmt from Gail Stephens. re. GPS	
	253.		DSAT-UTEK365796 12-17-09 Email to dispatch and upper mgmt from Randy Talbot re. GPS	
	254.		DSAT-UTEK365806-07 10-6-09 Heaberlin Email re. GPS	
	255.		DSAT-UTEK365809-10 5-6-09 Email string involving Shockman re. timesheet accuracy	
	256.		DSAT-UTEK365814 2-2-10 Email refers to GPS providers Trimble and "Greenroad".	
	257.		DSAT-UTEK365815-828 Email "FSR's & Escalations" by Martin Jones re. ETA call policy	
	258.		DSAT-UTEK365836 6-11-09 Email Heaberlin re. GPS	
	259.		DSAT-UTEK365839 2-3-10 Email Muehlenbruch to Morrison, Carroll, Miller re. after hours exception reports	
	260.		DSAT-UTEK365896 12-17-09 Email from Heaberlin including upper mgmt. re meetings in morning and nonproduction pay	
	261.		DSAT-UTEK365898 2-21-09 Email Vagnozzi, Downey, Lawley, Marino re. PROS	
	262.		DSAT-UTEK365902 9-18-07 Email Heaberlin, Yannantuono, Bramson re. OT	

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	No.	Witness		
	263.		DSAT-UTEK365944 11-24-09 Email Brodsky to Giacalone, Hisey re. financial information and lawsuits	
	264.		DSAT-UTEK365984 5-15-07 Email to Downey from Prisk. Re. not recording OT	
	265.		DSAT-UTEK365987 2-20-07 Email between Hisey and Yannantuono. re. GPS	
	266.		DSAT-UTEK366017-020 10-9-08 Email Lawley and Shockman re OT and lawsuits	
	267.		DSAT-UTEK366021 2-1-08 Email from a DirecTV to Yannantuono, Downey, Hisey re a wage and hour lawsuit in Missouri.	
	268.		DSAT-UTEK366023 2-16-08 Email Downey and Fabrizio re. Rizk case	
	269.		DSAT-UTEK366024 8-3-09 Email from a tech to Sobieraj and Nagel. re. GPS and timesheets	
	270.		DSAT-UTEK366035 8-27-08 Email Dan Y., Robbins, Miller, Kowalski, re. 10 and 12 hour shifts	
	271.		DSAT-UTEK 366035, 366037-040 8.27.08 Yannantuono Email re Siebel	
	272.		DSAT-UTEK366041 4.24.08 Email Kowalski, Riddle, Yannantuono, Miller re Siebel	
	273.		DSAT-UTEK366042 2-18-09 Email Downey to Yannantuono, Lejman, re. financials and lawsuits	
	274.		DSAT-UTEK366044-048 9-4-06 Email memo from Littler Mendelson to Steve Amato re a class action	

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	275.		DSAT-UTEK366072 9-11-08 Email Dellinger email re “the bulk of the country in underreporting, Siebel durations might be marginally off, they are not off by 20+ hours a week.”	
	276.		DSAT-UTEK366078 11-4-08 Email Shockman and Lawley re. underreporting	
	277.		DSAT-UTEK366084-85 2.18.09 Email Downey, Yannantuono re. underreporting	
	278.		DSAT-UTEK366086 9-6-07 Email Hisey to outside counsel re an individual lawsuit and financials	
	279.		DSAT-UTEK366088-89 Email Romano to Yannantuono, Conn, Patrick, Heaberline, and others, 1-31-08 re. OT scheduling	
	280.		DSAT-UTEK366104-105 7-19-06 Email Yannantuono to many, including Riddle, Downey, and DSat managers re. underreporting	
	281.		DSAT-UTEK366114-117 September 13, 2007 email including Yannantuono, Downey, Miller, Kowalski re. Siebel scheduling and lunch breaks	
	282.		DSAT-UTEK366118-119 8-15-07 Email Miller, Yannantuono, Heaberlin, Riddle, Kowalski re. Seibel Routing Analysis and 10 hour workday.”	
	283.		DSAT-UTEK366122-128 Aug-Sept. 2009 Email string with Kowalski, Heaberlin, Carroll, Miller, Yannantuono re. underreporting and effective hourly rate	

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	No.	Witness		
	284.		DSAT-UTEK366129 1-14-09 Email from Schockman re. altering timesheet	
	285.		DSAT-UTEK366131 Email chart showing required hours of availability for each profit center and the number of hours of actual availability of techs for each profit center.	
	286.		DSAT-UTEK366132-230 Email Possibly a Siebel report showing hours scheduled for each tech.	
	287.		DSAT-UTEK366239 6-16-09 Email Downey to Dougherty and Bronstein re. knowledge of underreporting	
	288.		DSAT-UTEK366294-95 Email Shockman to a local supervisor. August 2009 re. travel time compensation	
	289.		DSAT-UTEK366296 1-10-05 Email memo from Stephenson to Hisey, Battaglia, and others, re. travel time compensation and paperwork time	
	290.		DSAT-UTEK366411 2-19-08 Email from Lawley to managers re a memo re overtime and meal periods	
	291.		DSAT-UTEK366412-13 10-18-08 Email from a tech to Yannantuono re. no OT	
	292.		DSAT-UTEK366422 7-25-06 Email from a PA to Heaberlin Riddle, Yannantuono, Downey re. timesheets	
	293.		DSAT-UTEK366477 8-25-08 Email from Bill Lever to Bramson and Heaberlin re. OT	

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	No.	Witness		
	294.		DSAT-UTEK366494-96 10-23-09 Email between Shockman and Michael Lennon re how to calculate effective hourly rate.	
	295.		DSAT-UTEK366529 11-18-08 Email Yannantuono and others re. GPS cost benefit analysis	
	296.		DSAT-UTEK366539-41 7-31-08 Email from Fabrizio re. DOL requests and timesheets	
	297.		DSAT-UTEK366570 11-24-09 Email Lejman to Brodsky Giacalone Hopkin, Hisey re litigation issue	
	298.		DSAT-UTEK366615-616 8-28-08 Email Lawley, Yannantuono, Downey, re. OT	
	299.		DSAT-UTEK366649-50 11-1-09 Email Heaberlin to Yannantuono re. OT and efficiency	
	300.		DSAT-UTEK366660-61 8-11-09 Heaberlin emails re. revenue per tech	
	301.		DSAT-UTEK366662-63 3-2-08 Email from Yannantuono to Fabrizio re Rizk litigation and upcoming deposition of Randy, a dispatch manager.	
	302.		DSAT-UTEK366687 4-27-07 Email Hisey to Yannantuono re. company policy violations	
	303.		DSAT-UTEK366693-94 Email Riddle to Dellinger and Yannantuono re. MR report and cutting OT	
	304.		DSAT-UTEK366703-04 10-1-07 Email Joy Powell, PA, to Lawley, acknowledging that numerous timecards had been altered	

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	No.	Witness		
	305.		DSAT-UTEK366705-07 8-11-09 Email Shockman, Snell, Dave Miller, Militello re. PROS system	
	306.		DSAT-UTEK366726 5-26-07 Email Yannantuono to Hisey re. company policy	
	307.		DSAT-UTEK366731-32 3-21-08 Email Downey regarding overtime	
	308.		DSAT-UTEK366766 1-24-08 Email Romano to Victor, Core, Yannantuono, Kowalski, Sowell re. \$15.00 efficiency rate	
	309.		DSAT-UTEK366771 12-26-06 Email Prisk to Downey re. OT violation offense	
	310.		DSAT-UTEK366786-87 3-13-07 Email Battaglia to field and management re. overtime problems	
	311.		DSAT-UTEK366792 2-7-06 Email Blast Facts Tech Points Scheduled Report	
	312.		DSAT-UTEK366821-22 5-8-07 Email Yannantuono to Kowalski re. @road reports	
	313.		DSAT-UTEK366845-50 12-27-07 Email string involving Shockman, W. Jones, and a local PM, re. timesheet accuracy	
	314.		DSAT-UTEK366851-52 10-20-06 Email Randy Talbot and Riddle re. pre-call policy and work orders	
	315.		DSAT-UTEK366855-56 8-11-09 Email Militello, Dave Miller, Shockman, Snell re GPS and new timesheets	

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	No.	Witness		
	316.		DSAT-UTEK366859 7-27-09 Email Shockman re new timesheets, meeting time and production	
	317.		DSAT-UTEK366872 2-2-08 Email email from a tech to Riddle, Downey, Yannantuono re. routes	
	318.		DSAT-UTEK366876 12-5-07 Email to Giacalone re Oregon class action	
	319.		DSAT-UTEK 111283-4 William Morrison Review Sept. 2009	
	320.		DSAT-UTEK 111336 Review re CNI Bonus	
	321.		DSAT-UTEK 111358-9 Greg Twilley review re. CNI bonus	
	322.		DSAT-UTEK 118139 UniTek Global Org Chart for HR	
	323.		DSAT-UTEK 127278 8.24.10 Memo re. bonus plan	
	324.		Yannantuono Memo 10.1.09 Redline, No Bates	
	325.		Timesheets from profit center 636 showing same start time, lunch break and ending time every day: Charles Booker, Bates nos. DSAT-UTEK304396; Rafael Bohorquez, Bates nos. DSAT-UTEK305877; Charles Tice, Bates nos. DSAT-UTEK305646	
	326.		Timesheets from profit center 637 showing same start time, lunch break and ending time every day: Benito DelaCruz, Bates nos. DSAT-UTEK311902 and 312576; Noel Nansley, Bates nos. DSAT-UTEK311098; Richard Sirotnak, Bates nos. DSAT-UTEK311270	
	327.		Timesheets from profit center 638	

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			showing same start time, lunch break and ending time every day: Michael Davies, Bates nos. DSAT-UTEK314644; Jonathan Shultz, Bates nos. DSAT-UTEK314708	
	328.		Bryan Bruheim personnel file DSAT/UTEK 141169-141205	
	329.		Michael Jackson personnel file DSAT/UTEK 170155-170200	
	330.		Jackson timesheets week ending 8.2.08-3.12.11	
	331.		Jackson GPS data provided by DirectSat dated 8.1.09-10.31.09, no Bates	
	332.		Dustin Nicholson personnel file DSAT/UTEK 151043-151073	
	333.		Nicholson timesheets week ending 2.7.09-4.11.09	
	334.		Todd Witkowski personnel file DSAT/UTEK 117953-117984	
	335.		Witkowski timesheets week ending 11.28.09-2.27.10	
	336.		Todd Brennan personnel file DSAT/UTEK 121907-121949	
	337.		Brennan timesheets week ending 1.3.09-11.14.09	
	338.		Nathan Fraley personnel file DSAT/UTEK 359935-359978	
	339.		Fraley timesheets week ending 3.14.09	
	340.		Fraley GPS data provided by DirectSat 8.1.09-11.1.09	
	341.		DirecTV Time in Motion Studies (Seibel) produced pursuant to subpoena, Disk 1	
	342.		DirecTV Time in Motion Studies (Seibel) produced pursuant to	

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	No.	Witness		
			subpoena, Disk 2	
	343.		DirecTV Time in Motion Studies (Seibel) produced pursuant to subpoena, Disk 3	
	344.		DirecTV Time in Motion Studies (Seibel) produced pursuant to subpoena, Disk 4	
	345.		Payroll data week ending 5/23/09	
	346.		Payroll data week ending 5/30/09	
	347.		Payroll data week ending 6/6/09	
	348.		Payroll data week ending 6/13/09	
	349.		Payroll data week ending 6/20/09	
	350.		Payroll data week ending 6/27/09	
	351.		Payroll data week ending 7/4/09	
	352.		Payroll data week ending 7/11/09	
	353.		Payroll data week ending 7/18/09	
	354.		Payroll data week ending 7/25/09	
	355.		Payroll data week ending 8/1/09	
	356.		Payroll data week ending 8/8/09	
	357.		Payroll data week ending 8/15/09	
	358.		Payroll data week ending 8/22/09	
	359.		Payroll data week ending 8/29/09	
	360.		Payroll data week ending 9/5/09	
	361.		Payroll data week ending 9/12/09	
	362.		Payroll data week ending 9/19/09	
	363.		Payroll data week ending 9/26/09	
	364.		Payroll data week ending 10/3/09	
	365.		Payroll data week ending 10/10/09	
	366.		Payroll data week ending 10/17/09	
	367.		Payroll data week ending 10/24/09	
	368.		Payroll data week ending 10/31/09	
	369.		Payroll data week ending 12/19/09	
	370.		Payroll data week ending 12/26/09	
	371.		Payroll data week ending 1/2/10	
	372.		Payroll data week ending 1/9/10	
	373.		Payroll data week ending 1/16/10	
	374.		Payroll data week ending 1/23/10	

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	No.	Witness		
	375.		Payroll data week ending 1/30/10	
	376.		Payroll data week ending 2/6/10	
	377.		Payroll data week ending 2/13/10	
	378.		Payroll data week ending 2/20/10	
	379.		Payroll data week ending 2/27/10	
	380.		Payroll data week ending 3/6/10	
	381.		Payroll data week ending 3/13/10	
	382.		Declaration of Clayton Abernathy	
	383.		Declaration of Fuad Abugebara	
	384.		Declaration of Gregg Adamson	
	385.		Declaration of Daniel Allers	
	386.		Declaration of Judd Altenburg	
	387.		Declaration of Sergio Alvarez	
	388.		Declaration of Jonathan Archibald	
	389.		Declaration of Jonathan Arendosh	
	390.		Declaration of James Atkinson	
	391.		Declaration of Mauricio Ayala	
	392.		Declaration of Thomas Berryman	
	393.		Declaration of Adam Blackwell	
	394.		Declaration of Herbert Blunt	
	395.		Declaration of Kenneth Boggs	
	396.		Declaration of Ricardo Bolano	
	397.		Declaration of Marc Braniff	
	398.		Declaration of Donald Broussard	
	399.		Declaration of Kenderman Brown	
	400.		Declaration of Donald Bruce	
	401.		Declaration of Bryan Bruheim 2/17/10	
	402.		Declaration of Bryan Bruheim 4/6/11	
	403.		Declaration of Lamont Burdine	
	404.		Declaration of Joshua Burling	
	405.		Declaration of Marvin Butler	
	406.		Declaration of Brian Carrier	
	407.		Declaration of John Castro	
	408.		Declaration of Franz Charles	
	409.		Declaration of Alfred Ciarletta	

TRIAL EXHIBIT FORM

EXHIBIT(S) OF:	ESPENSCHIED, et al.
PLAINTIFFS	v. Case No.: 3:09-cv-00625-bbc
	DIRECTSAT USA, LLC, et al.

Date	Identification		Description	Offers, Objections, Rulings, Exceptions
	No.	Witness		
	410.		Declaration of Michael Clay	
	411.		Declaration of Stephanie Cook	
	412.		Declaration of Patrick Cragin	
	413.		Declaration of Sheldon Dable	
	414.		Declaration of Kyle Darst	
	415.		Declaration of Carl Davis	
	416.		Declaration of David Deserre	
	417.		Declaration of Brett Domke	
	418.		Declaration of Grant Dorniden	
	419.		Declaration of Thomas Ejnik	
	420.		Declaration of Aaron Espenscheid	
	421.		Declaration of Chuck Evers	
	422.		Declaration of Stephen Forrest	
	423.		Declaration of Nathan Fraley	
	424.		Declaration of Terrance Wayne Franklin	
	425.		Declaration of Christopher Frey	
	426.		Declaration of James George	
	427.		Declaration of Troy Gilbertson	
	428.		Declaration of Christopher Gillespie	
	429.		Declaration of Kenneth Haehl	
	430.		Declaration of Gregory Haley	
	431.		Declaration of Robert Hammond	
	432.		Declaration of Mitch Hanson	
	433.		Declaration of Joel Hoheisel	
	434.		Declaration of RJ Hutchison	
	435.		Declaration of Gary Idler	
	436.		Declaration of Gregg Jablonowski	
	437.		Declaration of Jeremy Johnson	
	438.		Declaration of Gregoire Joseph	
	439.		Declaration of Abraham Kawah	
	440.		Declaration of Steve Kopischke	
	441.		Declaration of Robert Lantzy	
	442.		Declaration of Michael Larrabee	
	443.		Declaration of Keith Leitzinger	
	444.		Declaration of Rachel Loftin	
	445.		Declaration of James Long	

TRIAL EXHIBIT FORM

EXHIBIT(S) OF: PLAINTIFFS	ESPENSCHIED, et al. v. Case No.: 3:09-cv-00625-bbc DIRECTSAT USA, LLC, et al.
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Date	Identification		Description	Offers, Objections, Rulings, Exceptions
	No.	Witness		
	446.		Declaration of Chad Ludlum 10/20/10	
	447.		Declaration of Chad Ludlum 3/10/11	
	448.		Declaration of Roney Martinez	
	449.		Declaration of Richard Mayer	
	450.		Declaration of Marlon Mills	
	451.		Declaration of William Morrison (Morrison Video Depo Exh 1)	
	452.		Declaration of Brad McNeil	
	453.		Declaration of Steven Norgbean	
	454.		Declaration of Christopher Nye	
	455.		Declaration of Joseph O'Brien	
	456.		Declaration of Peter Paige	
	457.		Declaration of Tyler Parker	
	458.		Declaration of Robert Pass	
	459.		Declaration of Bradley Pauwels	
	460.		Declaration of John Peshek	
	461.		Declaration of Terry Petersen	
	462.		Declaration of Stewart Thomas Phillips	
	463.		Declaration of Joshua Pillsbury	
	464.		Declaration of Carlos Piloto	
	465.		Declaration of Carlos Puebla	
	466.		Declaration of Jose Rivera	
	467.		Declaration of Matthew Schwegman	
	468.		Declaration of David Setren	
	469.		Declaration of Clinton Skeens	
	470.		Declaration of Michael Smith	
	471.		Declaration of William Smith	
	472.		Declaration of Robert Synan	
	473.		Declaration of Kyle Toering	
	474.		Declaration of Daniel Vang	
	475.		Declaration of Eric Wagner	
	476.		Declaration of Richard Walker 2/17/10	
	477.		Declaration of Richard Walker 3/10/11	

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EXHIBIT(S) OF: PLAINTIFFS	ESPENSCHIED, et al.	
	v.	Case No.: 3:09-cv-00625-bbc
	DIRECTSAT USA, LLC, et al.	

Date	Identification		Description	Offers, Objections, Rulings, Exceptions
	No.	Witness		
	478.		Declaration of Dennis Warner	
	479.		Declaration of Ray Wetzel	
	480.		Declaration of Randall Whitrock	
	481.		Declaration of Todd Witkowski	

Respectfully submitted this 19th day of May, 2011.

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